APPENDIX.

We now reproduce here from R. 598-601, the questions and answers complained of (See p. 15 et seq. hereof) with our comments as to the objectionable nature of each question (R. 598).

"Cross Examination.

"Mr. Dowling:

"Mr. Chadwick, you have been shown a document which is marked G231. Did you sign that?

"A. Yes, sir.

"Q. After you signed it, what did you do with it yourself?

"A. Put it in the file basket for the clerk to put in the mail box.

"Q. You put it in the file basket for the clerk to put in the mail box?

"A. Yes.

"Q. Did you ever see it anywhere else in connection with this case?

"A. No, sir.

"Q. What became of it, after you put it in the file basket, you do not know of your own knowledge?

"A. No, sir.

"Q. That is all.

"The Court: "But you do know that the usual course to be pursued with letters that you were writing to your employer had to be directed out of town, don't you?	(Argumentative, leading and suggestive. Also assumes truth of controverted matter.)

"A. Yes, your Honor."

"Q. And you do know subsequently you had definite, subsequent information that your letter had been received in New York, don't you?
"A. Yes, yes."

(Leading and suggestive, and hearsay.)

"Q. And you recognize even the stamp of your New York office upon the letter which shows that it was actually so received?
"A. Yes, your Honor."

(Leading, suggestive and calling for opinion, and giving the court's opinion.)

"Q. Now, may I ask you these questions: You stated that Mr. Steiner was engaged in attending to certain business matters for you personally?
"A. Yes, sir."

(Improper repetition of testimony already given.)

"Q. And in the course of a visit he suggested his employment by your company, because he felt he could bring about reductions in your assessments. Is that true?
"A. Yes, sir."

(Improper repetition of testimony already given.)

"Q. Did he indicate why he so thought? Did he tell you that he had examined your assess-

(Argumentative question. Being hypothetical and contained several questions in one. The

ments and they, to him, looked high, or where did he get any information, or did he intimate to you he had any such information about the condition of your assessments?

"A. No, sir. He would find out what the assessment was from the assessor's office."

answer, "no, sir" is, of course, naturally misleading.)

"Q. But before that, without e v e n having done that, he told you he thought he could bring about reductions?

"A. Yes."

(Argumentative, leading and suggestive.)

"Q. He had no knowledge what the assessment was, but was volunteering information to you that he felt reasonably sure of being able to get reductions if employed by your company?

"A. Yes, sir."

(Argumentative, leading and suggestive. Assumes truth of controverted matter.)

"Q. You had shown him no tax bill or any assessment papers from which he could come to a conclusion on the subject, had you?

"A. No, sir."

(Leading and suggestive.)

"Q. You had not discussed any details at all about your assessments?
"A. No, sir." (Leading and suggestive.)

"Q. He had not asked you whether your assessments were high or low or what?
"A. No, sir." (Leading and suggestive.)

"Mr. Dowling:
"As to all the leading questions put by the Court, we reserve a bill, and make all the questions and answers a part of the bill.

"The Court:
"What is that?

"Mr. Dowling:
"If your Honor please: You asked a good many leading questions.

"The Court:
"Why did you not object at the time they were being asked?

"Mr. Dowling:
"I am objecting now.

"The Court:
"Mr. Dowling, do you state the Court has no discretion to ask leading questions?

"Mr. Dowling:
"I am objecting to it as being leading questions.

"The Court:
"The Court has the discretion to permit leading questions, and the ruling of the Court is, despite the objection of counsel, and the Court is of the opinion there is no real legal objection to any questions put.

"Mr. Dowling:

"With all due respect to the Court, I must, on behalf of a man, whom it is my duty as an officer of your Court, see that all legal rights are taken care of, and I object to all the statements made and ask to have all that part of the record made a part of the bill of exceptions if your Honor please.

"The Court:

"Let it be noted, and let the testimony be incorporated in the bill.

"Mr. Dowling:

"Now, I am going to ask you one other question, and I would like you to answer me. You took an oath and the judge told you what the oath was,—before your God and conscience, do you know, of your own knowledge, whether—as a fact—this letter ever went through the mail? Can you say you do?

"A. The fact it bears our New York office stamp indicates it went through the mail.

"Q. But, do you know that it did yourself?

"A. No, sir, I cannot follow a letter through.

"The Court:

"Could you have followed a letter through the mails from New Orleans to New York?

"A. No, sir."

(Argumentative, leading and suggestive, to such an extent that the question is in reality testimony in the form of a question.)

"The Court:

"Gentlemen: Will you come forward?"

The following is a reference to the instances where the irregularities complained of with reference to arguments held in whispers will be found in the transcript.

Record Page	Which Counsel in Conference With Judge.
56	Attorneys for defendants.
84	Does not show which attorneys in conference.
86	Judge's explanation of reason for conferences.
88	Respective Counsel.
94	Counsel for government and counsel for defendants.
102	Counsel and court.
114	Counsel and Court.
190	Counsel for both sides.
201	Mr. Rivet and Mr. Hamlin only.
209	Respective counsel.
212	Respective counsel.
214	Mr. Hamlin only.
238	Respective counsel.
243	Twice-respective counsel.
247	Respective counsel.
251	District Attorney alone.
286	Respective counsel.
326	Respective counsel.
348	Respective counsel.
381	Respective counsel.
383	Mr. Hamlin only.
407	Respective counsel.
421	Respective counsel.
422	Mr. Hamlin only.
430	Mr. Hamlin only.
439	Mr. Rivet only.
469	Respective counsel.
517	Apparently the District Attorney only.
551	Respective counsel.
601	Conference with defense counsel, at conclusion a like conference had with District Attorney.
627	Mr. Dowling only.
649	Mr. Hamlin only.

Record Page	Which Counsel in Conference With Judge.
655	Twice—1st time Mr. Hamlin and District Attorney. 2nd time Mr. Dowling only.
664	Mr. Dowling only.
701	All counsel.
742	Apparently all counsel.